

## SUBCHAPTER B—ACQUISITION PLANNING

### PART 905—PUBLICIZING CONTRACT ACTIONS

#### Subpart 905.5—Paid Advertisements

Sec.

905.502 Authority.

AUTHORITY: 42 U.S.C. 7254; 40 U.S.C. 486(c).

#### Subpart 905.5—Paid Advertisements

##### 905.502 Authority.

(a) *Newspapers*. When it is deemed necessary to use paid advertisements in newspapers and trade journals, written authority for such publication shall be obtained from the Head of the Contracting Activity or designee.

[49 FR 11943, Mar. 28, 1984]

### PART 906—COMPETITION REQUIREMENTS

#### Subpart 906.1—Full and Open Competition

Sec.

906.102 Use of competitive procedures.

#### Subpart 906.2—Full and Open Competition After Exclusion of Sources

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#### Subpart 906.5—Competition Advocates

906.501 Requirement.

AUTHORITY: 42 U.S.C. 7254; 40 U.S.C. 486(c).

SOURCE: 50 FR 12183, Mar. 27, 1985, unless otherwise noted.

#### Subpart 906.1—Full and Open Competition

##### 906.102 Use of competitive procedures.

(d) Other competitive procedures.

(1) Professional architect-engineer services shall be negotiated in accordance with subpart 936.6 and FAR Subpart 36.6.

(4) Competitive selection of research proposals for award received in response to a Program Research and Development Announcement (See subpart 917.73 and part 935).

(5) Competitive selection for award of proposals offered in response to program opportunity notices (See subpart 917.72).

#### Subpart 906.2—Full and Open Competition After Exclusion of Sources

##### 906.202 Establishing or maintaining alternative sources.

(b)(1) Every proposed contract action under the authority of FAR 6.202(a) shall be supported by a determination and finding (D&F) signed by the Procurement Executive.

#### Subpart 906.3—Other Than Full and Open Competition

##### 906.304 Approval of the justification.

(c) Class justifications within the delegated authority of a Head of the Contracting Activity may be approved for:

(1) Contracts for electric power or energy, gas (natural or manufactured), water, or other utility services when such services are available from only one source;

(2) Contracts under the authority cited in FAR 6.302-4 or 6.302-5; or

(3) Contracts for educational services from nonprofit institutions. Class justifications for classes of actions that may exceed \$10,000,000 require the approval of the Procurement Executive.

#### Subpart 906.5—Competition Advocates

##### 906.501 Requirement.

The Secretary of Energy has delegated the authority for appointment of the agency and contracting activity competition advocates to the Procurement Executive. The Procurement Executive has delegated authority to the Head of the Contracting Activity to appoint contracting activity competition

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908.1102

advocates. Procedural guidance is provided in internal DOE Directives.

### PART 907—ACQUISITION PLANNING

#### Subpart 907.3—Contractor Versus Government Performance

Sec.

907.307 Appeals.

AUTHORITY: 42 U.S.C. 7254; 40 U.S.C. 486(c).

SOURCE: 49 FR 11944, Mar. 28, 1984, unless otherwise noted.

#### Subpart 907.3—Contractor Versus Government Performance

##### 907.307 Appeals.

An appeal of a decision to convert to contract or to continue in-house performance may be made by an affected party. Appeals shall be made in writing, be based only on specific alleged material deviation (or deviations), from OMB Circular A-76, and be supported by appropriate documentation. Appeals must be delivered within 15 working days of the announced decision, to the contracting officer. The contracting officer shall process any such appeal in accordance with internal Departmental procedures.

### PART 908—REQUIRED SOURCES OF SUPPLIES AND SERVICES

#### Subpart 908.8—Acquisition of Printing and Related Supplies

Sec.

908.802 Policy.

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#### Subpart 908.71—Acquisition of Special Items

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908.7101 Motor vehicles.

908.7101-1 Scope of section.

908.7101-2 Consolidated acquisition of new vehicles by General Services Administration.

908.7101-3 Direct acquisition.

908.7101-4 Replacement of motor vehicles.

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908.7101-6 Acquisition of fuel-efficient vehicles.

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908.7102 Aircraft.

908.7103 Office machines.

908.7104 Office furniture and furnishings.

908.7105 Filing cabinets.

908.7106 Security cabinets.

908.7107 Alcohol.

908.7108 Helium.

908.7109 Fuels and packaged petroleum products.

908.7110 Coal.

908.7111 Arms and ammunition.

908.7112 Materials handling equipment replacement standards.

908.7113 Calibration services.

908.7114 Wiretapping and eavesdropping equipment.

908.7115 Forms.

908.7116 Electronic data processing tape.

908.7117 Tabulating machine cards.

908.7118 Rental of post office boxes.

908.7119-908.7120 [Reserved]

908.7121 Special materials.

AUTHORITY: 42 U.S.C. 7254; 40 U.S.C. 486(c).

SOURCE: 49 FR 11945, Mar. 28, 1984, unless otherwise noted.

#### Subpart 908.8—Acquisition of Printing and Related Supplies

##### 908.802 Policy. (DOE coverage—paragraph (b))

(b) Inclusion of printing requirements (limited exceptions are set forth in paragraphs 35-2 through 35-4 of the Government Printing and Binding Regulations) in contracts for supplies and services is prohibited unless specifically approved by the Director, Office of Administrative Services, Headquarters. Contracting officers shall insert the clause at 48 CFR 952.208-70.

[61 FR 41705, Aug. 9, 1996]

#### Subpart 908.11—Leasing of Motor Vehicles

SOURCE: 61 FR 41705, Aug. 9, 1996, unless otherwise noted.

##### 908.1102 Presolicitation requirements. (DOE coverage—paragraph (a))

(a)(4) Commercial vehicle lease sources may be used only when the General Services Administration (GSA) has advised that it cannot furnish the vehicle(s) through the Interagency